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6 UNITED STATES DISTRICT COURT  
7 EASTERN DISTRICT OF WASHINGTON  
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9 OPAL HARGER, *et al.*  
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11 Plaintiffs,  
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13 v.  
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15 U.S. DEPARTMENT OF LABOR,  
16 and THE NATIONAL INSTITUTE  
17 OF OCCUPATIONAL SAFETY  
18 AND HEALTH,  
19

20 Defendants.  
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22 NO. CV-06-5071-RHW  
23

24 **ORDER GRANTING MOTION  
25 TO DISMISS PLAINTIFF GIBBS**

26 Before the Court is Plaintiffs' Agreed Motion to Dismiss Judith Gibbs with  
27 Prejudice (ECF No. 345), heard without oral argument. The parties have agreed to  
28 move the Court to dismiss with prejudice the claims of Plaintiff Judith Gibbs.

29 Accordingly, **IT IS HEREBY ORDERED:**

30 1. Plaintiffs' Agreed Motion to Dismiss Judith Gibbs with Prejudice (ECF.  
31 No. 345) is **GRANTED**.

32 2. The claims of Plaintiff Judith Gibbs are **DISMISSED with prejudice**.  
33 Plaintiff Gibbs is now dismissed from this matter.

34 **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
35 Order and to provide copies to counsel.

36 **DATED** this 28<sup>th</sup> day of March, 2011.

37 *s/Robert H. Whaley*  
38 ROBERT H. WHALEY  
39 United States District Judge

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41 **ORDER GRANTING MOTION TO DISMISS PLAINTIFF GIBBS \* 1**